

State of Washington

Department of Agriculture

(agency name)

Administrative Order No. 1560

(1) I, Bob J. Mickelson, director of the Department of Agriculture

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

WAC 16-316-340, WAC 16-316-350, WAC 16-316-356 and WAC 16-316-370 of Chapter 16-316, Title 16 relating to grass seed certification standards.

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules. & 2/21/78

This action is taken pursuant to Notice No. 7975 and 78-03-049 filed with the code reviser on 12/30/77. Such rules shall take effect:

pursuant to RCW 34.04.040(2).

XX at a later date, such date being April 1, 1978

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, find that an emergency exists and that the foregoing order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting such emergency is:

Such rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04. (1977 c 19 § 2) that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" (fill in statement (a), (b), or (c) as appropriate):

X (a) This rule is promulgated pursuant to RCW 15.49 and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

(agency)

has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the

(agency)

as authorized in RCW

(4) The undersigned hereby declares that he has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) or the Higher Education Administrative Procedure Act (chapter 28B.19 RCW), as appropriate, and the State Register Act (chapter 34.08 RCW).

(5) This order after being first recorded in the order register of this agency is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON APPROVED AND ADOPTED

March 1 19 78

MAR 1 1978

By Bob J. Mickelson

Director of Agriculture

Title

CODE REVISER'S OFFICE WSR 78-03-112

file 30

AMENDATORY SECTION (Order 1485, filed 9/8/76)

WAC 16-316-340 GRASS SEED CERTIFICATION STANDARDS. The general seed certification standards are basic and together with the list of varieties eligible and the following specific regulations, constitute the standards for grass seed certification. (See specific regulations for bentgrass standards). In addition to these standards, each lot of seed stock subject to Annual Bluegrass Quarantine must be in compliance with said quarantine to be eligible for certification.

AMENDATORY SECTION (Order 1485, filed 9/8/76)

WAC 16-316-350 CERTIFICATION FEES. (1) SEEDLING APPLICATIONS: Due within sixty days after planting: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late seedling penalty fee.

(a) Seedling Application Fee:

Per variety, per grower.....\$10.00

(b) Late Seedling Penalty Fee: (per kind).....\$10.00

This additional fee shall be charged for seedling applications received more than sixty days after planting.

(c) Seedling Producing Application Fee:

Per variety, per grower.....\$10.00

Required of seedling fields to be harvested for certification the year of planting. Notification of seedling field to be harvested for certification and required fees are due July ((7)) (31): PROVIDED, That such application may be accepted after due date with \$10.00 late penalty fee at the discretion of the certifying agency.

(2) RENEWAL APPLICATIONS: Due May 1: PROVIDED, That such applications may be accepted after due date at the discretion of the certifying agency upon payment of the late renewal penalty fee.

(a) Renewal Application Fee:

Per variety, per grower.....\$10.00

(b) Late Renewal Penalty Fee: (per kind).....\$10.00

This additional fee shall be charged for renewal applications received after May 1.

(3) REINSPECTION: (each field).....\$10.00

If a field is rejected for certification, the grower may apply for re-inspection after the cause for rejection is corrected. Only two reinspections are permitted for each field each year.

(4) INSPECTION AND FINAL CERTIFICATION FEES:

Inspection and final certification fees will be based on pounds sampled and billed upon completion of required tests (Option A). Those dealers requesting sampling and tagging privileges and/or participation in Option B must sign a Memorandum of Agreement that shall expire on June 30 of each year. Memorandum may be terminated by the director if processor violates certification standard or requirements of memorandum.

(a) Option A: When based on pounds sampled, and billed at completion of required laboratory tests, the fees shall be:

(i) INSPECTION AND FINAL CERTIFICATION FEE: \$ 0.60 per 100 pounds.

(If no seed is tagged, 20¢ of the final certification fee is refundable upon request).

(ii) RESAMPLING IF REQUIRED:.....\$ 0.15  
per 100 pounds. Fees not applicable if lot has met Washington seed certifi-

cation standards on previous certified sample and lot was remilled to improve quality.

(iii) SERVICE FEE FOR OUT-OF-STATE ORIGIN.....\$ 0.30 per 100 pounds.

(iv) BLEND FEE shall be as established by blend regulation, and in addition to above fees. However, blend fee not applicable to salvage blends.

(v) PAYMENT OF FEES shall be the responsibility of the person signing the application. However, the processor may assume this responsibility.

(b) Option B: When based on pounds tagged after required laboratory tests are completed, the fees shall be:

(i) INSPECTION AND FINAL CERTIFICATION FEE.....\$ 1.00 per 100 pounds. (Minimum Fee per tagging).....\$10.00

(ii) SERVICE FEE FOR OUT-OF-STATE ORIGIN.....\$ 0.75 per 100 pounds.

(iii) BLEND FEE (in addition to fee established by blend regulation) shall be as follows, and payable upon completion of blend on total weight of blend:

(a) Washington origin certified seed used in blend.....\$ 0.95 per 100 pounds.

(b) Out-of-state origin certified seed used in blend.....\$ 0.70 per 100 pounds: PROVIDED, That those fees listed in (a) and (b) above are not applicable to certified seed that is tagged and sealed, and on which final fees have been paid.

(c) A refund or credit will be issued for the percent of the blend lot not tagged. (For example, if 40% of the blend is not tagged, 40% of the fees charged under Option B above is refundable). Requests for refunds must be made by June 30 following final disposition of the blend.

(iv) Payment of fees shall be the responsibility of the processor. A processor choosing this program shall handle all certified grasses in his warehouse under this program for the entire crop year. Upon termination or non-renewal of Option B Memorandum of Agreement, processor shall be responsible for Option A fees on all certified seed not tagged at termination date.

(5) FEES FOR SERVICES such as O.E.C.D. and sod quality, etc., shall be in addition to the fees listed in these standards.

(6) PURITY AND GERMINATION TEST fees shall be as established by the director of agriculture.

(7) FEES FOR RESAMPLING, RETAGGING, OR SERVICES NOT LISTED IN THIS ORDER shall be the most applicable fee established by the director of agriculture.

(8) FEES FOR REISSUE OF TAGS shall be \$0.05 per tag with a minimum fee of \$5.00.



REPEALER SECTION (Order 1485, filed 9/8/76)

WAC 16-316-356 VARIETY RESTRICTIONS is hereby repealed.



STATE OF  
WASHINGTON

Dixy Lee Ray  
Governor

DEPARTMENT OF AGRICULTURE

406 General Administration Building, Olympia, Washington 98504

For the purposes of legislative review of agency rules, the following statement is submitted.

1. Rules pertaining to grass seed certification standards. (Statutory authority 15.49 RCW)
2. Amendments add statement regarding seed stock subject to annual bluegrass quarantine, change date, add "per tagging" to minimum fee under Option B, correct wording under seed standard chart.
3. Art Losey  
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Bob Eschbach  
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Yakima, Washington 98903  
575-2750
4. Proponents: Department of Agriculture  
Opponents: None
5. No agency comments